

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

AMO DEVELOPMENT, LLC, )  
AMO MANUFACTURING USA, LLC, )  
and AMO SALES AND SERVICE, )  
INC., )

Plaintiffs, )

v. )

ALCON VISION, LLC, ALCON )  
LABORATORIES, INC., and ALCON )  
RESEARCH, LLC, )

Defendants. )

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ALCON, INC., ALCON RESEARCH, )  
LLC and ALCON VISION, LLC, )

Counterclaim Plaintiffs, )

v. )

AMO DEVELOPMENT, LLC, )  
AMO MANUFACTURING USA, LLC, )  
AMO SALES AND SERVICE, INC. )  
and JOHNSON & JOHNSON )  
SURGICAL VISION, INC., )

Counterclaim Defendants. )

REDACTED - PUBLIC VERSION

C.A. No. 20-842-CFC-JLH



**ALCON'S MOTION TO PRECLUDE CERTAIN EXPERT TESTIMONY  
(NO. 1) OF DR. KATHRYN HATCH**

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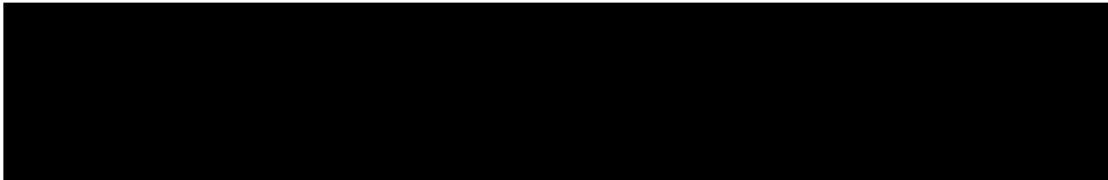
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Dated: August 19, 2022

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Alcon Research, LLC*

Pursuant to Federal Rules of Evidence 702 and 703, Defendants Alcon Vision, LLC, Alcon Laboratories, Inc. and Alcon Research, LLC (“Alcon”) respectfully move to preclude Plaintiffs AMO Development, LLC, AMO Manufacturing USA, LLC, and AMO Sales and Service, Inc.’s (“J&J”) expert Dr. Kathryn Hatch from testifying regarding:

-  (A1701–50, Hatch Op. Rpt. ¶¶ 28, 80–81; A1752–74, Hatch Rpl. Rpt. ¶¶ 12–16, 39–45); and
-  (A1701–50, Hatch Op. Rpt. ¶¶ 21, 25, 27, 29, 41–46, 51–53, 55, 64, 68, 72, 77, 82–85; A1752–74, Hatch Rpl. Rpt. ¶¶ 5, 18–20, 26).

The grounds for this motion are set forth in Alcon’s opening brief, filed herewith. Pursuant to D. Del. LR 7.1.1, counsel certifies that reasonable efforts have been made to reach agreement on the subject of this motion.

WHEREFORE, Alcon respectfully requests that the Court grant this motion and enter the attached proposed order.

Respectfully submitted,

/s/ Andrew E. Russell

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**CERTIFICATE OF SERVICE**

I, Andrew E. Russell, hereby certify that on August 19, 2022, this document was served on the persons listed below in the manner indicated:

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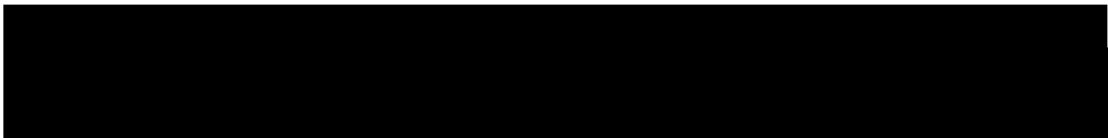
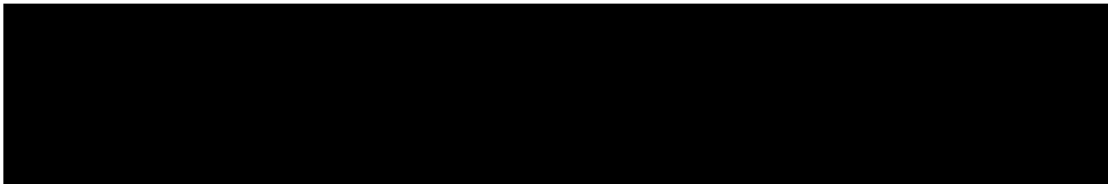
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**PROPOSED ORDER GRANTING DEFENDANTS' MOTION TO  
PRECLUDE CERTAIN EXPERT TESTIMONY OF KATHRYN HATCH**

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Court having considered Alcon's Motion to Preclude Certain Expert Testimony of Dr. Kathryn Hatch, and all papers and argument submitted therewith,

IT IS ORDERED that the motion is GRANTED. Dr. Kathryn Hatch is PRECLUDED from testifying regarding:

-  including as set forth in her opening report at paragraphs 28, 80–81, and in her reply report at paragraphs 12–16 and 39–45; and
-  including as set forth in her opening report at paragraphs 21, 25, 27, 29, 41–46, 51–53, 55, 64, 68, 72, 77, 82–85 and her reply report at paragraphs 5, 18–20, 26.

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United States District Judge